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1 and

2 WHEREAS, the success or failure of competitive services
3 should be determined by the marketplace but is often influenced
4 by outdated regulation; and

5 WHEREAS, the public regulation commission has stated its
6 preference to address, within the framework of regulatory
7 proceedings rather than within legislation, a new form of
8 regulation of the state's largest telecommunications incumbents
9 that is more responsive to market conditions; and

10 WHEREAS, the public regulation commission has successfully
11 established an investment and quality-of-service plan, in
12 cooperation with New Mexico's two largest telecommunications
13 incumbents, that has resulted in significant improvements in
14 telecommunications infrastructures and services within the
15 state;

16 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE
17 STATE OF NEW MEXICO that the public regulation commission be
18 requested to work with the telecommunications industry, the
19 public and other interested parties to establish, before
20 January 1, 2004, a streamlined review process for
21 telecommunications services that are or are becoming
22 competitive and a new regulatory standard that builds toward
23 more equitable regulation among providers of the same or
24 similar telecommunications services and allows a greater degree
25 of flexibility for the more regulated companies to respond to

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1 changing market conditions; and

2 BE IT FURTHER RESOLVED that the public regulation
3 commission provide updates of its progress, conclusions and
4 recommendations to the appropriate interim legislative
5 committee and to the governor during 2003; and

6 BE IT FURTHER RESOLVED that copies of this memorial be
7 transmitted to the public regulation commission, the governor
8 and the attorney general.

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